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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,639	11/14/2000	Haithem Albadawi	01333	8847

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EXAMINER	
YODER III, CHRISS S	

ART UNIT	PAPER NUMBER
2612	5

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/712,639	ALBADAWI ET AL.	
	Examiner	Art Unit	
	Chriss S. Yoder, III	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 7 and 14 are objected to because of the following informalities:

1. Claim 7 recites the limitation "The method as claimed in claim 1 wherein the step of applying one or more image processing algorithms to the subsampled unprocessed color signals includes" in lines 1-3. There is insufficient antecedent basis for this limitation in the claim.

The examiner believes that this should read "The method as claimed in claim *4* wherein the step of applying one or more image processing algorithms to the subsampled unprocessed color signals includes", and will be examined as understood by the examiner.

2. Claim 14 recites the limitation "The method as claimed in claim 11" in line 1.

The examiner believes that this should read " The *video tap apparatus* as claimed in claim 11", and will be examined as understood by the examiner.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 5-6, 8-9, 11-13, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Mowry (US Patent # 5,457,491).

2. In regard to claim 1, note Mowry discloses a method for converting a sequence of motion images, captured by an image capture system (figure 5: 51/52), into a sequence of modified motion images providing the appearance of motion images captured by the same capture system and subsequently rendered in a post-processing stage to simulate a particular look (column 3, lines 30-43), said method comprising the steps of capturing a sequence of motion images using a full resolution image sensor system, resulting in a captured sequence of full resolution unprocessed image signals corresponding to the motion images (column 3, lines 30-43; the high definition signal is considered to be the full resolution signal); recording the full resolution unprocessed image signals (column 13, lines 15-18; and figure 5: 54); providing the recorded full resolution unprocessed image signals to a post-production process where the images will be subsequently rendered in a post-processing stage to simulate a particular look (column 13, lines 35-40; and figure 5: 59); applying, within the image capture system, one or more image processing algorithms to the unprocessed image signals to simulate the particular look rendered in the post-processing stage, thereby resulting in processed image signals (column 13, line 35-40; figure 5: 59 is considered to be the equivalent of the post-processing stage with an algorithm to add grain to the images), and displaying the processed image signals as a sequence of modified images (figure 5: 70).

3. In regard to claim 2, note Mowry discloses that the motion images are electronically captured by a digital camera (figure 5: 51).

4. In regard to claim 3, note Mowry discloses that the motion images are on film and are electronically captured by a film scanner (figure 5: 52; and column 4, lines 64-67).

5. In regard to claim 5, note Mowry discloses that the step of displaying the processed image signals as the sequence of modified images occurs contemporaneously with the step of recording the full resolution unprocessed color signals (column 11, lines 40-50; the recording and display are done in real time).

6. In regard to claim 6, note Mowry discloses that the captured sequence of full resolution unprocessed image signals comprises a captured sequence of full resolution unprocessed color signals (column 9, lines 7-11).

7. In regard to claim 8, note Mowry discloses that the particular look imparted by the post-processing stage is due to one or more special effects (column 13, lines 35-40; the special effect is to add the grain look to the images) and the processed image signals are rendered to simulate the special effects look, as would be provided in the post-processing stage (column 13, lines 35-40; the images have grain added to them to look as if they were taken using a film video camera).

8. In regard to claim 9, note Mowry discloses that the processed image signals are rendered to simulate a particular look of a film stock, as would be provided in the post-processing stage (column 1, lines 61-62; the grain is added to make the images look like film stock).

9. In regard to claims 11-13, these are apparatus claims, corresponding to the method of claims 1-3, respectively. Therefore, claims 11-13 have been analyzed and rejected as previously discussed with respect claims 1-3.

10. In regard to claim 15, note Mowry discloses the use of a method for converting a sequence of motion images, captured by an electronic image capture system (figure 5: 51/52), into a sequence of modified motion images providing the appearance of motion images captured by a motion capture system and subsequently rendered in a post-processing stage to simulate a particular look (column 3, lines 30-43), said method comprising the steps of capturing a sequence of motion images using an image sensor system, resulting in a captured sequence of digital image signals corresponding to the motion images captured by the motion capture system (column 3, lines 30-43); providing the motion images captured by the motion capture system to a post-production process where the images will be subsequently rendered in a post-processing stage to simulate a particular look (column 13, lines 35-40; and figure 5: 59); applying, within the image capture system, one or more image processing algorithms to the digital image signals to simulate the particular look rendered in the post-processing stage, thereby resulting in processed image signals (column 13, line 35-40; figure 5: 69 is considered to be the equivalent of the post-processing stage with an algorithm to add grain to the images); and displaying the processed image signals as a sequence of modified images (figure 5: 70).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 4, 7, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mowry (US Patent # 5,457,491) in view of Kozuka (US PGPub # 2002/0044699).

12. In regard to claim 4, note Mowry discloses a method for converting a sequence of motion images, captured by an image capture system, into a sequence of modified motion images providing the appearance of motion images captured by the same capture system and subsequently rendered in a post-processing stage to simulate a particular look as claimed in claim 1. Mowry also discloses the use of one or more image processing algorithms to the unprocessed image signals to simulate the particular look, thereby resulting in processed image signals (column 5, lines 5-10), and displaying the processed image signals as a sequence of modified images (column 11, lines 40-50; and figure 5: 70). Therefore, it can be seen that the Mowry device fails to teach subsampling the captured sequence of full resolution unprocessed image signals, thereby resulting in subsampled unprocessed image signals. Kozuka discloses the use of a subsampling circuit to obtain a subsampled image (page 5, paragraph 0074). Kozuka teaches that the use of a subsampling circuit is preferred in order to allow the user to select different resolutions (page 1, paragraph 0004) and to output different resolutions at different speeds (page 2, paragraph 0019). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Mowry device to include the use of a subsampled image to output different resolutions as suggested by Kozuka.

13. In regard to claim 7, note Mowry discloses the use of a grain algorithm for adding noise that has the same probability distribution function as the graininess of a particular film stock (column 11, lines 40-50).

14. In regard to claim 10, note Mowry discloses a method for converting a sequence of motion images, captured by an image capture system (figure 5: 51/52), into a sequence of modified motion images providing the appearance of motion images captured by the same capture system and subsequently rendered in a post-processing stage to simulate a particular look (column 3, lines 30-43), said method comprising the steps of capturing a sequence of color motion images using a full resolution image sensor system, resulting in a captured sequence of full resolution unprocessed color signals corresponding to the color motion images (column 3, lines 30-43; the high definition signal is considered to be the full resolution signal); recording the full resolution unprocessed color signals (column 13, lines 15-18; and figure 5: 54); providing the recorded full resolution unprocessed color signals to a post-production process where the images will be subsequently rendered in a post-processing stage to simulate a particular look (column 13, lines 35-40; and figure 5: 59); and applying one or more image processing algorithms to the subsampled unprocessed color signals to simulate the particular look, thereby resulting in processed color signals (column 13, lines 35-40; and figure 5: 59); and displaying the processed color signals as a sequence of modified images, said displaying occurring contemporaneously with the step of recording the full resolution unprocessed color signals (column 11, lines 40-50; the recording and display are done in real time). Therefore, it can be seen that the Mowry

device lacks the steps of subsampling the captured sequence of full resolution unprocessed color signals, thereby resulting in sub-sampled unprocessed color signals and applying one or more image processing algorithms to the subsampled unprocessed color signals to simulate the particular look, thereby resulting in processed color signals. Kozuka discloses the step of subsampling the captured sequence of full resolution unprocessed color signals, thereby resulting in sub-sampled unprocessed color signals (page 5, paragraph 0074). Kozuka teaches that the use of a subsampling circuit is preferred in order to allow the user to select different resolutions (page 1, paragraph 0004) and to output different resolutions at different speeds (page 2, paragraph 0019). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Mowry device to include the use of a subsampled image to output different resolutions as suggested by Kozuka.

15. In regard to claim 14, this is an apparatus claim, corresponding to the method of claim 4. Therefore, claim 14 has been analyzed and rejected as previously discussed with respect claim 4.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US005475425A: note the use of an apparatus that adds the look of motion picture film to a video.

US005140414A: note the use of an apparatus that adds the look of motion picture film to a video.

US005831673A: note the use of an apparatus that adds the look of motion picture film to a video.

US005641596A: note the use of a film scanner that adds the look of motion picture film to a video.

US004935816: note the use of an apparatus that adds the look of motion picture film to a video.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (703) 305-0344. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY
July 8, 2004

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